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people of the United States and especially the friends of arbitration, should welcome a disposition on the part of senators to bestow upon this subject their best and most dispassionate thought.

The treaty is not without objectionable features. The important article is the sixth which provides for "a controversy which shall involve the determination of territorial claims," which are defined in the ninth article to include "questions involving servitude, rights of navigation and access, fisheries and all rights and interests necessary to the control and enjoyment of the territory claimed by either of the high contracting parties."

Unquestionably, the scope of this portion of the treaty is very broad and open to debate and construction. Most likely it would be held to embrace many of the claims which have been suggested as those undesirable to arbitrate. Very likely the claim alleged to exist in regard to a portion of Alaska is within the proper interpretation of this provision. Indeed, it has been suggested that the right of England to purchase Cuba of Spain might be contested against by the United States under it; that the vague notion of national right, termed the Monroe Doctrine, might be brought into debate; or the right of England to participate in the administration of the Nicarauga canal, if it should ever be built, under the provisions of the Clayton-Bulwer treaty. For myself, I say, let it be conceded that every one of these questions might come before the arbitral court. What of it? Why may they not be properly heard, properly decided and finally settled by such a court? What substantial danger is there that a commission composed of six members, three of whom are to be nominated by our own government and three by England, will ever render a decision five to one in respect of any or all of these questions to which both nations may not submit without loss of honor? Personally, I would like to have six competent men take up all that has been said and done in respect of the Monroe Doctrine and formulate, by a determination of five to one, if they cannot all agree, a statement of what the Monroe Doctrine really is, under international law or under our national usage and claim. Mind, I am not for a surrender of national right, national dignity or national duty, and if there is no way of indicating them other than by an appeal to arms, then I say take that appeal and abide the result. But whatever may be the views of individuals in regard to the import and value of the Monroe Doctrine,—and some there are who would accept as sound the preceding observations — one thing is perfectly certain, viz., that it is a darling idea with a great majority of the American people, and no agreement with any foreign nation which qualifies the national right and duty in that regard, will be acceptable or popular. It is well that the point has been made, and better to have it thoroughly understood before a vote is taken. The treaty would not be satisfactory to the American people if believed at all to compromise our government in regard to its action in the maintenance of the principle of that doctrine.

I do object most strenuously, as I have already stated in the ADVOCATE, to the appointing of judges of our courts upon an arbitral tribunal. I think every sound reason is against it, while I believe that the judges of the Supreme Court, and of the appellate courts are, as a body of men, in every respect as well qualified for the performance of the duties assigned to them in the scheme of our government as any judicary in the world, I can see no sound reason for excluding from this tribunal in its highest functions, under Article VI., men of the type of George F. Edmunds, William Allen Butler, Henry Hitchcock, Edward J. Phelps and President Angell. On the contrary I believe that this class of men is the very class from which the arbitrators under Article VI. ought to be selected. But feeling strongly as I do the soundness of this position, I would not make it now an objection to the ratification of the present treaty, for the reason that the treaty is to subsist but for five years; the whole scheme is experimental and open to amendment by agreement between the high contracting parties.

Of course, there is nothing to be said about the provisions of the treaty for the determination of mere pecuniary claims less than $500,000 and others in excess of that amount; and the suggestion of the remote contingency that the selected arbitrators may not agree upon an umpire or the Justices of the Supreme Court of the United States and the members of the Judicial Committee of the Privy Council may not agree, and then that the King of Sweden might appoint an arbitrator who had prejudged the case against the United States, is practically without foundation. The idea that any ruler of a respectable nation would when called upon to exercise this function, engage in the business of shopping around to see if he could find an umpire who stood practically pledged to decide in favor of one party or the other is not to be tolerated.

One thing is certain, our country and Great Britain are ready for such a treaty, the pending document has received the most careful study, it means progress, and will, I cannot doubt, receive such action in the Senate as will give a solid assurance that Kant's "Dream of Perpetual Peace" is soon to be, not a dream, but a fact.

A VERY GREAT AND AUSPICIOUS STEP.

BY EX-SENATOR GEORGE F. EDMUNDS.

From a letter written at the request of some Philadelphia gentlemen:

"The three principal criticisms of the treaty are, first, that it commits this government to submitting to arbitration questions that may arise in connection with the Monroe doctrine.

With sincere respect for the gentlemen who, it is said, have suggested this objection, I think that it is quite unfounded, and that those who have advanced it must have failed to observe the careful language used in the treaty.

The words upon which the criticism is based are found in ART. IV., as follows:

> All other matters in difference, in respect of which either of the high contracting parties shall have rights against the other under the treaty or otherwise.

What, then, are "rights against the other"? In the theory of the municipal state and of all its autonomy, the rights of one citizen against another are essentially and exclusively those things that the law of the state enjoins upon each in regard to the other. This is the whole definition. Precisely the same is true in international law. This, I believe, all writers on national law and international law agree in.

To illustrate these propositions, I take it that the United States has no rights against Great Britain in re-

gard to her operations in Abyssinia, nor would she have any rights against us if we were to attempt to share in the partition of Africa.

In the case of Turkey, if we were to seize the whole of Asia Minor and establish peace and order there (as the British have done, in substance, in Egypt), we should have invaded no right of any power except Turkey.

The same is, of course, true in respect of our relations and conduct with the states of the western hemisphere under the Monroe doctrine, or under any other policy that we may think it just to adopt.

It was, then, the clear and perfectly understood distinction between the rights of one nation against another, and their interests and policies in regard to other nations, that doubtless led to a separate treaty in regard to the Venezuelan question; for both governments knew that the affair could not possibly come within the scope of the general treaty.

You will see, therefore, that the phrase of the treaty which is criticised is the most apt possible to mark the boundary of arbitration, and that it leaves the Monroe doctrine unaffected.

The second objection is the fear that the treaty may affect our attitude in regard to the Nicaragua canal, in which the interests of the United States are so deeply concerned. What I have already said disposes of that solicitude; I have no time to go into detail about it.

The third and last objection I have heard is the supposed danger of leaving it to any European power to name an umpire in certain contingencies. It is enough to say that, so far as our considerable experience has gone in such matters, we have never had occasion to complain of the action of any sovereign in naming an umpire or in deciding a dispute.

In the great arbitration treaty of 1871 we agreed that three members of the Geneva tribunal should be named by three sovereigns, two of them Europeans, and that if any or all of these sovereigns should fail to name these members, the King of Sweden should name them all. And, in the same treaty, we did not hesitate to submit the very important question of our boundary on the Pacific coast to the Emperor of Germany.

I am an intense supporter of the Monroe doctrine. I believe the building of the Nicaragua canal under the auspices of the United States to be of urgent necessity.

I believe most earnestly in international arbitration to the utmost extent that civilized, just and self-respecting nations can go; and I most earnestly hope that the Senate will ratify the treaty as it is proposed as the first step—very great and auspicious—toward the attainment of peace among nations."

THE BEST THAT HAS YET BEEN SUGGESTED.

BY HON. CHARLES P. DAILY OF NEW YORK.

I have read the proposed treaty agreed upon by the two plenipotentiaries, and now submitted to the Senate of the United States for ratification, and having, during the last two years, taken an active part in the effort to bring about the settlement of all controversies that may hereafter arise between the two English-speaking nations —Great Britain and the United States—by the final arbitrament of a fixed tribunal, and being familiar, I think, with all the plans suggested for that purpose by individuals and collective bodies, I have no hesitation in saying that, in my opinion, it is the best that has yet been suggested.

I have been struck by its simplicity and clearness, by how much has been foreseen and provided for, and am satisfied in my own mind that, as a means of preventing war, with all its attendant calamities (except where war is inevitable), it will work most satisfactorily. It is difficult, beforehand, to see all the exigencies that may arise; and for that reason it is better, in my judgment, to ratify the treaty as it is now framed, leaving all such exigencies to be disclosed during the five or six years of its operation, than for the Senate to provide for them now. In a matter of this kind, which is new, experience is the best guide. As the treaty is to be in operation only a few years, it may result in its being made still more perfect.

I now answer certain questions put to me by the representative of *The Independent;*

Do you think Russia will use her influence against the ratification of the treaty? I do not believe she will attempt to do so.

If arbitration is a desirable thing should it not be incorporated into international law for more than five years? As I have already remarked, the treaty will undoubtedly be improved and made entirely satisfactory, such alterations and changes being made as experience will suggest.

Can it be considered as a treaty of offense and defense, and does it commit the two countries to an alliance? I do not think any such question is involved.

Would the United States be in danger of losing control of the Nicaragua Canal, if it should be built? Would Great Britain claim that, under the Clayton Bulwer treaty, she was entitled to a voice in the control of the canal? I answer, no. As I have been largely connected with the matter of the Nicaragua Canal, as a member of the company that has heretofore done what has been done toward the construction of that great waterway between the Atlantic and the Pacific, and have also been an officer of that company since its incorporation, I anticipate no difficulty of that kind. I think I may consider myself thoroughly well informed on this subject, having had constant occasion for some years carefully to study and consider it.

Would King Oscar, of Sweden, be satisfactory to our country, and be likely to be impartial, as the final arbitrator? I think the selection is excellent, as he is one of the most enlightened, liberal and capable sovereigns of Europe.—*The Independent.*

ONE OF THE GREATEST EVENTS OF MODERN HISTORY.

BY REV. REUEN THOMAS, D.D.

From a sermon in Harvard Church Brookline, Mass., Jan. 24.

As it seems to me that the arbitration treaty between Great Britain and the United States is one of the greatest events of modern history, and closely connected with the advancement of the Kingdom of Christ among men, its introduction into our solemn sanctuary service is abundantly warranted. Indeed, it would indicate a great lack of ability to see the movements of Divine Providence in their broadest expression if we omitted to celebrate an event so rich in promise for humanity as this is. It is true that this treaty is not yet approved by